

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS A. AULICINO,

Plaintiff,

03 CV 2395 (SJ) (LB)

- against -

ORDER

NEW YORK CITY DEPARTMENT OF
HOMELESS SERVICES and LINDA GIBBS,
as Commissioner of the agency,

Defendants.

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A P P E A R A N C E S:

STEVEN EDWARD SYKES, ESQ.
District Council, AFSCME, AFL-CIO
125 Barclay Street
New York, NY 10007
Attorney for Plaintiff

MICHAEL A. CARDOZO, ESQ.
Corporation Counsel
of the City of New York
100 Church Street, Room 2-300
New York, NY 10007
By: Eric Jay Eichenholtz, Esq.
Attorney for Defendants

JOHNSON, Senior District Judge:

Before the Court is a Report and Recommendation (the “Report”), prepared by Magistrate Judge Lois Bloom.¹ Judge Bloom filed the Report on September 1, 2006, and provided the parties until September 15, 2006, to file any objections. No objections have been filed.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

As mentioned, no objections were filed within the allotted time period. Upon review, the Court adopts and affirms the Report. Defendants’ motion for summary

¹The Court thanks Judge Bloom for her efforts in this regard and for the thorough Report.

judgment is granted, and Plaintiff's complaint is dismissed in its entirety.

The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: September 18, 2006
Brooklyn, NY

_____/s/_____
STERLING JOHNSON, JR.
Senior United States District Judge